

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

| | | | |
|----------------|--|----------------------|-------------|
| Subject | Delegation of Authority for Certain Lease and Promissory Note Management Responsibilities to Chief Administrative Officer and County Counsel | Policy Number | Page |
| | | A-89 | 1 of 2 |

Purpose

To establish a policy for timely and cost effective processing of evictions (Unlawful Detainer actions), foreclosures, requests for reconveyance when promissory notes are paid in full and other administrative note management responsibilities of a minor nature by delegating authority to the Chief Administrative Officer and County Counsel with General Services as the advisory agency.

Background

Board action is required to initiate eviction proceedings for unpaid rent and foreclosure actions on delinquent promissory note payments. Delegation of this authority to the Chief Administrative Officer and County Counsel will enable staff to take more timely action, thereby reducing revenue losses and administrative costs. Delegation of other promissory note management functions are recommended for ministerial actions, such as the execution of request for reconveyance when promissory notes are paid in full, and administrative actions of a minor nature which do not impair the security for the loan.

Policy

It is the policy of the Board of Supervisors that authority is hereby delegated to the Chief Administrative Officer and County Counsel with General Services as the advisory agency for the following lease and promissory note management functions:

- 1.Non-payment of rents: Initiation of eviction proceedings.
- 2.Non-payment of promissory notes: Initiation of foreclosure proceedings and protection of County's equity at trustee's sale.
- 3.Ministerial actions: Execution of requests for reconveyance when promissory notes are paid in full, and other administrative actions of a minor nature that do not impair the security for the loan.

Procedure

Eviction (Unlawful Detainer action) and foreclosure procedures will be initiated pursuant to Code of Civil Procedure Section 1161 et seq. and Civil Code Section 2924 respectively. Initiation of the procedures will follow generally accepted property

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

| | | |
|---|----------------------|-------------|
| Subject Delegation of Authority for Certain Lease and Promissory Note Management Responsibilities to Chief Administrative Officer and County Counsel | Policy Number | Page |
| | A-89 | 2 of 2 |

management practices. The Chief Administrative Officer will inform the Supervisor in whose district the property lies of the initiation of eviction or foreclosure proceedings.

Sunset Date

This policy will be reviewed for continuance by 12-31-06.

Previous Board Action

7-14-81 (91)

10-18-88 (48)

11-29-94 (40)

CAO Reference

1. Department of General Services
2. County Counsel